

### REMARKS

This application has been reviewed in light of the Office Action dated April 7, 2004. Claims 7-14, 21-28, 35, 45, 47, 50, 52, 69, and 73-75 are pending in this application. Claims 1, 3-6, 15, 17-20, 29, 31-34, 36-42, 44, 49, and 58 have been cancelled, without prejudice or disclaimer of subject matter. Claims 73-75 have been added to provide Applicants with a more complete scope of protection. Claims 7, 8, 11, 12, 21-24, 26, 35, 45, 47, 50, and 52 have been amended to define still more clearly what Applicants regard as their invention. Claims 7, 21, 35, 45, 47, 50, 52, 69, 73, and 75 are in independent form. Favorable reconsideration is requested.

The Examiner objected to Claims 7, 21, 47, and 52 because of various informalities, noted in paragraph 2 of the Office Action. As shown above, the claims have been amended to eliminate these informalities, and Applicants respectfully request withdrawal of these objections.

The Office Action rejected Claims 1, 3-5, 7-15, 17-19, 21-29, 31-33, 35-42, 44, 45, 49, and 50 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,092,114 (Shaffer et al.), and rejected Claims 6, 20, 34, 47, 52, 58, and 69 under 35 U.S.C. § 103(a) as being unpatentable over Shaffer et al. in view of U.S. Patent No. 6,351,316 (Saito et al.). Applicants respectfully traverse these rejections of the remaining claims. Cancellation of Claims 1, 3-6, 15, 17-20, 29, 31-34, 36-42, 44, 49, and 58 renders their rejections moot.

Applicants submit that Claims 7, 21, 35, 45, 47, 50, 52, 69, 73, and 75, together with the remaining claims dependent thereon, are patentably distinct from the proposed combination of the cited prior art at least for the following reasons.

The aspect of the present invention set forth in Claim 7 is a communication apparatus for forming and outputting image data on the basis of data received via a network. The apparatus includes a receiving unit adapted to receive data composed of a predetermined character code, an extracting unit adapted to analyze the data received by the receiving unit and to extract binary data encoded by the character code, and a converting unit adapted to convert the extracted binary data into image data. The apparatus also includes a first determining unit adapted to determine, during a receiving session, whether the binary data is convertible into image data, and a first informing unit adapted to inform a source of the received data of the determination result from the first determining unit, during that same receiving session.

Among other important features of Claim 7 is that the apparatus performs the following processes during the same receiving session: (A) determining whether binary data extracted from the received data is convertible into image data; and (B) informing the source of the received data of the determination result from the first determining unit. By performing both (A) and (B) during the same receiving session, the source of the data can immediately recognize whether the data was correctly received as well as determine whether the data could be converted into image data.

Shaffer et al., as understood by Applicants, relates to a method and system for determining the location for performing file-format conversions of electronic message attachments. The Office Action asserts that step 54 (see Fig. 2 of Shaffer et al.) corresponds to the first informing unit as recited in Claim 7. Applicants respectfully disagree. In step 54 in Shaffer et al., a special protocol element P may be generated and transmitted to the remote server to determine whether the remote format converter 32 has

capabilities beyond that of the local system (col. 7, lines 23-27). However, step 54 is not performed in the same receiving session during which step 40 (receiving the message) is performed. Shaffer et al. discusses in column 6, lines 6-18, that a received message is stored in a mailbox in step 40. This section is read as teaching that the receiving session ends in step 40, since a receiving session generally ends before the received mail is stored into a mailbox<sup>1</sup>. Applicants submit that nothing has been found in Shaffer et al. that would teach or suggest a communication apparatus that performs the processes of determining whether binary data extracted from the received data is convertible into image data and informing the source of the received data of the determination result from the first determining unit during the same receiving session, as recited in Claim 7.

Accordingly, Applicants submit that at least for this reason, Claim 7 is patentable over Shaffer et al.

Claims 21, 35, 45, and 50 include the same features of performing the processes of determining whether binary data extracted from the received data is convertible into image data and informing the source of the received data of the determination result from the first determining unit during the same receiving session, as discussed above in connection with Claim 7. Accordingly, Claims 21, 35, 45, and 50 are believed to be patentable for at least the same reasons as discussed above in connection with Claim 7.

The aspect of the present invention set forth in Claim 47 is a communication apparatus that includes a receiving unit adapted to receive electronic mail,

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<sup>1/</sup> Certainly, Shaffer et al. lacks the requirement that these steps are performed during the same receiving session.

an extracting unit adapted to analyze the electronic mail received by the receiving unit and to extract binary data attached to the electronic mail, a converting unit adapted to convert the binary data extracted by the extracting unit into image data, and an output unit adapted to output the image data converted by the converting unit. The language type of a source is determined from header information of the electronic mail received by the receiving unit, and electronic mail indicating the conversion error is generated by a message corresponding to the determined language type.

Among other important features of Claim 47 is that language type of a source is determined from header information of the electronic mail received by the receiving unit, and electronic mail indicating the conversion error is generated by a message corresponding to the determined language type.

The Office Action states (and Applicants agree) that Shaffer et al. “fails to specifically teach if the language type of a source is determined from header information of the electronic mail received by the receiving unit.” The Office Action states, however, that Saito et al. discloses this feature (col. 3, lines 5-11) and the feature of informing a conversion error message to the sources by using a determined language type (col. 4, line 62, to col. 5, line 6). Applicants submit that these sections merely discuss extracting all or some (e.g.; “From:” and “Content-Type:”) of the header information from the received e-mail, the extracted header information being as it is used in the error message. In other words, Applicants submit that nothing has been found in Saito et al. that would teach or suggest either detecting a language type of the source from the extracted head information or using the detected language type of the source to generate the error message. Applicants further note that the error message in Saito et al. is comprised of the extracted header

information and attached template document stored in ROM 22 (see Fig. 5.0). Applicants submit that this clearly indicates that Saito et al. does not consider a language type of the received e-mail to generate the error message. In contrast, the apparatus recited in Claim 47 generates a report by using the detected language type of the source of the received data and thereby enables the sender of the data to read the report written in his/her language.

Accordingly, Applicants submit that at least for these reasons, Claim 47 is patentable over Shaffer et al. and Saito et al., when taken alone or in any proper combination (assuming such combination would even be permissible).

Claims 52 and 69, and new Claims 73 and 75, include the same features of determining a language type of a source from header information of the electronic mail received by the receiving unit, and electronic mail indicating the conversion error is generated by a message corresponding to the determined language type, as discussed above in connection with Claim 47. Accordingly, Claims 52, 69, 73 and 75 are believed to be patentable for at least the same reasons as discussed above in connection with Claim 47.

The other claims in this application depend from one or another of the independent claims discussed above, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual consideration or reconsideration, as the case may be, of the patentability of each claim on its own merits is respectfully requested.

This Amendment After Final Action is believed to place this application in condition for allowance and, therefore, its entry is believed proper under 37 C.F.R. § 1.116. Accordingly, entry of this Amendment After Final Action, as an earnest effort to advance prosecution and reduce the number of issues, is respectfully requested. Should the

Examiner believe that issues remain outstanding, it is respectfully requested that the Examiner contact Applicants' undersigned attorney in an effort to resolve such issues and advance the case to issue.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and the allowance of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

A handwritten signature in cursive script, reading "Leonard P. Diana".

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